

103D CONGRESS  
1ST SESSION

# S. 854

To amend the Elementary and Secondary Education Act of 1965 to require each local educational agency, as a condition for receiving Federal assistance under such Act, to implement a gun-free program in its schools.

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## IN THE SENATE OF THE UNITED STATES

APRIL 29 (legislative day, APRIL 19), 1993

Mr. DORGAN introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

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## A BILL

To amend the Elementary and Secondary Education Act of 1965 to require each local educational agency, as a condition for receiving Federal assistance under such Act, to implement a gun-free program in its schools.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Gun-Free Schools Act  
5       of 1993”.

1 **SEC. 2. GUN-FREE REQUIREMENTS IN ELEMENTARY AND**  
2 **SECONDARY SCHOOLS.**

3 The Elementary and Secondary Education Act of  
4 1965 (20 U.S.C. 2701 et seq.) is amended—

5 (1) by redesignating title X as title IX;

6 (2) by redesignating sections 8001 through  
7 8005 as sections 9001 through 9005, respectively;  
8 and

9 (3) by inserting after title VII the following new  
10 title:

11 **“TITLE VIII—GUN-FREE**  
12 **SCHOOLS**

13 **“SEC. 8001. GUN-FREE REQUIREMENTS.**

14 **“(a) REQUIREMENTS.—**

15 **“(1) IN GENERAL.—**No assistance may be pro-  
16 vided to any local educational agency under this Act  
17 unless such agency has in effect a policy requiring  
18 the expulsion from school for a period of not less  
19 than one year of any student who is determined to  
20 have brought a weapon to a school under the juris-  
21 diction of the agency.

22 **“(2) DEFINITION.—**For the purpose of this sec-  
23 tion, the term “weapon” means a firearm as such  
24 term is defined in section 921 of title 18, United  
25 States Code.

1       “(b) REPORT TO STATE.—Each local educational  
2 agency requesting assistance from the State educational  
3 agency that is to be provided from funds made available  
4 to the State under this Act shall provide to the State, in  
5 the application requesting such assistance—

6               “(1) an assurance that such local educational  
7 agency has in effect the policy required by sub-  
8 section (a); and

9               “(2) a description of the circumstances sur-  
10 rounding any expulsions imposed under the policy  
11 required by subsection (a), including—

12                       “(A) the name of the school concerned;

13                       “(B) the number of students expelled from  
14 such school; and

15                       “(C) the types of weapons concerned.”.

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